

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) Chapter: 7
MILANKA CVORAK,)
) Case No.: 15-32834
)
Debtor.) Judge Janet S. Baer

**SECOND AND FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION
AND FOR REIMBURSEMENT OF EXPENSES AS GENERAL COUNSEL TO THE
TRUSTEE**

Cover Sheet for Application for Professional Compensation

Name of Applicant(s): **David R. Brown, Esq. and the law firm of Springer Brown, LLC**

Authorized to Provide Professional Services to: **David R. Brown, Trustee of the Estate of
Milanka Cvorak, Chapter 7 Bankruptcy No. 15-132834.**

Date of Order Authorizing Employment: **December 4, 2015**

Period for which Compensation is Sought: **September 2, 2016 through March 28, 2017**

Amount of Fees Sought: **\$ 5,397.00**

Amount of Expense Reimbursement Sought: **\$ 28.97**

This is an: **Interim Application Final Application X**

If this is not the first application filed herein by this professional, disclosure as to all prior fee applications:

Date Filed	Period Covered	Total Requested	Total Allowed	Any Amount Withheld by Order
5/27/16	11/18/16 -5/26/16	\$4,256.50(fees)	\$4,256.50	\$0.00

The amount of fees and expenses paid to the Applicant to date for Service rendered and expenses incurred herein is: **\$ 0.00**

**In re: Milanka Cvorak
Chapter 7 no. 1-18242
Cover Sheet for Application for Professional Compensation by Trustee's General
Counsel
(PAGE TWO of TWO)**

Professionals retained and represented as follows in this Application for Allowance of Compensation and Reimbursement of Expenses as Counsel to the Trustee:

Name of Professional	Hourly Rates	Hours of Service	Value of Service
David R. Brown, Attorney (DRB)	\$430.00	9.5	\$4,085.00
Richard G. Larsen, Attorney (RGL)	\$405.00	1.0	\$ 405.00
Michele M. Springer, Attorney (MMS)	\$380.00	1.4	\$ 532.00
Joshua D. Greene, Attorney (JDG)	\$375.00	1.0	\$ 375.00
TOTALS		12.9	\$ 5,397.00

A Summary and Detailed Attorney Time entries attached hereto.

DATE: March 28, 2017

Respectfully Submitted,
APPLICANT
David R. Brown, Trustee

BY: SPRINGER BROWN, LLC

By: /s/ David R. Brown
David R. Brown
One of His Attorneys

David R. Brown, Trustee
Springer Brown, LLC
Wheaton Office Center
300 S. County Farm Road, Suite I
Wheaton, IL 60187
(630) 510-0000

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) Chapter: 7
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REIMBURSEMENT OF EXPENSES AS GENERAL COUNSEL TO THE TRUSTEE**

NOW COMES David R. Brown, Esq. and the law firm of Springer Brown, LLC (herein "Applicant"), as duly authorized counsel to the Trustee, DAVID R. BROWN, (herein the "Trustee") and respectfully requests the entry of an Order for the allowance and payment of compensation and reimbursement of expenses for services rendered and expenses incurred as counsel to the Trustee pursuant to §330 of the United States Bankruptcy Code and applicable Federal Rules of Bankruptcy Procedure, and in support hereof, states to the Court as follows:

I. INTRODUCTION

This Application encompasses the time period from September 2, 2016 through preparation of Applicant's current Final Fee Application, March 28, 2017. The Application represents 12.9 hours of legal services provided to the Trustee. Applicant previously requested and obtained an Order entered August 5, 2016 allowing attorneys' fees in the amount of \$4,256.50 but no fees have been paid. This Application seeks approval of legal fees in the amount of \$5,397.00 and \$28.97 for actual and necessary unreimbursed expenses.

1. On September 25, 2015, an Order for Relief under Chapter 7 of the United States Bankruptcy Code was entered against Milanka Cvorak and David R. Brown was thereupon appointed as Trustee therein.
2. On May 20, 2016, the Debtor converted the case to a Chapter 13 proceeding.
3. On September 2, 2016, the case was converted back to a Chapter 7 proceeding.

4. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157. Venue is proper in this district pursuant to 28 U.S.C. §§1408 and 1409.

5. This request for relief is predicated on Section 330(a) (1) of the Bankruptcy Code.

6. On December 4, 2015, an Order was entered by this Court authorizing the Trustee to employ Springer Brown, LLC (hereinafter “Springer Brown”) as his counsel.

7. During the period September 2, 2016 through March 28, 2017, Springer Brown provided services to the Trustee which were reasonable and necessary to the administration of this case, the general nature of which is set forth below and a specific itemization of which is attached hereto and incorporated herein.

II. CASE STATUS AND NARRATIVE OF LEGAL SERVICES

The sole asset in this case was Debtor’s interest in her marital residence, co-owned by her non-filing spouse (hereinafter “Subject Real Estate”). The Subject Real Estate was initially unscheduled by Debtor. The Trustee determined that there was significant equity in that Subject Real Estate and Applicant filed an objection to Debtor’s claim of homestead exemption (which objection was sustained) and then filed an adversary complaint to authorize the sale of the Subject Real Estate free and clear of the interest of the co-owner. The Debtor then converted the case to a Chapter 13 proceeding and Applicant filed a Fee Application. On August 5, 2016, an Order approving Applicant’s Attorneys’ fees was entered allowing fees in the amount of \$4,256.50.

The Debtor’s Chapter 13 Confirmation hearing was continued twice and then the Chapter 13 Trustee filed a motion to convert the case back to a Chapter 7 proceeding and at the same time, the Debtor filed a motion to dismiss the case. On September 2, 2016, the Debtor’s motion to dismiss was denied and the case was converted back to a Chapter 7 proceeding.

On September 19, 2016, Applicant filed a Motion to Compel the Debtor to provide access to the Subject Real Estate and on September 30, 2016, the Court entering the Order compelling the Debtor to provide access. On October 25, 2016, Applicant filed a Motion to Employ a Realtor for the Trustee. The hearing was continued because the Debtor advised Applicant that she wished to purchase the estate's interest in the Subject Real Estate.

The Debtor offered the lump sum of \$50,000.00 to purchase the Trustee's right, title and interest in Subject Real Estate. Applicant calculated the estimated net proceeds from the sale of the Subject Real Estate. A reasonable sale price for the Subject Real Estate would be \$250,000.00. After deducting estimated closing costs and the mortgage balance, the gross proceeds of sale would come to \$157,000. Of that amount, one-half, or \$76,500 would go to the non-debtor spouse, leaving a net to the estate of \$76,500 of which \$15,000 would go to the Debtor's homestead had that been properly claimed, leaving \$60,000 in net proceeds to the estate. On November 10, 2016, Applicant filed a Motion to Sell Trustee's Right, Title and Interest in the Subject Real Estate to the Debtor and on December 2, 2016, an Order approving the sale was entered.

The Trustee reviewed the claims filed and supporting documents and objections to Claim 14 as a duplicate claim and Claim 13 as a fully secured claim were necessary. Applicant contacted claimant 14 and advised this was a duplicate claim and said claimant withdrew the claim. Applicant filed a Motion to Value secured claim 13 and on March 10, 2017, and Order was entered determining the collateral for the secured claim was not an asset being administered by the estate.

Applicant herein provided and maintained the normal and ordinary legal services to the Trustee in monitoring and overseeing liquidation and administration of the assets and coordinating efforts of the administration with the Trustee in the related Estate.

8. All services in this matter were performed by David R. Brown, billed at the rate of \$405.00 per hour, Elizabeth A. Bates, billed at the rate of \$350.00 per hour, and Michele M. Springer, billed at the rate of \$325.00 per hour. These rates are customary for Springer Brown to charge for such services during this time period.

9. The services rendered by Applicant were necessary services that have benefited this estate by providing funds to distribute to creditors and enabling the Trustee to perform his statutory duties. Itemized time entries for all Applicant's services are attached as ***Exhibit "A"***. An itemization of the reasonable and necessary expenses Applicant incurred is also attached as ***Exhibit "B"***. Applicant's request for reimbursement of expenses does not include any of the ordinary operating expenses of Applicant's practice of law. Applicant is requesting reimbursement of photocopy charges at the rate of 10¢ per copy. Applicant's expense request does not include any long distance telephone service charges.

WHEREFORE, Applicant, David R. Brown respectfully requests that Trustee's Attorneys' fees in the amount of \$5,397.00 and reimbursement of actual and necessary expenses in the amount of \$28.97 be approved as reasonable and appropriate and that payment be authorized upon entry of the Order approving such payment as set forth herein for any such other and further relief as this Court deems just and equitable.

DATE: March 28, 2017

Respectfully Submitted,
APPLICANT
David R. Brown, Trustee

BY: SPRINGER BROWN, LLC

By: /s/ David R. Brown
David R. Brown
One of His Attorneys

David R. Brown, Trustee
SPRINGER BROWN, LLC
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